



CITY OF MORGAN HILL

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PLANNING COMMISSION

TUESDAY, MARCH 12, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR BARBARA SULLIVAN
VICE-CHAIR PATRICIA MCMAHON
COMMISSIONER GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER RALPH LYLE
COMMISSIONER JOSEPH MUELLER
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: February 26, 2002

OLD BUSINESS:

1. **USE PERMIT, UP-01-05: MONTEREY-ARCO:** A request to approve a conditional use permit to construct a new 3,600 sf Arco am/pm mini-market, a 4,500 sf gas station and a 792 sf car wash facility located at 18605 Monterey Rd. at the southwest corner of Monterey and Cochrane Roads. (APN 764-10-004)

Recommendation: Open public hearing/Table request.

LEGALLY NOTICED PUBLIC HEARINGS

2. **APPLICANTS FOR THE FOLLOWING PROPOSED RESIDENTIAL DEVELOPMENTS HAVE REQUESTED A BUILDING ALLOTMENT UNDER THE CITY'S RESIDENTIAL DEVELOPMENT CONTROL SYSTEM PURSUANT TO CHAPTER 18.78 OF THE MORGAN HILL MUNICIPAL CODE:**
 - a) **MEASURE P, MP-01-06: HILL-GERA:** a request for Measure P allocations for Fiscal Year 2003-2004. The project consists of Phase 1 (9 units) of a 17 unit single family estate home development located on the west side of Hill Rd. on both the north and south sides of Jean Ct. (APNs 728-08-014 & 015, 728-07-047, 048, 050 & 051))
 - b) **MEASURE P, MP-01-07: SHAFFER-BAMDAD:** A request for Measure P allocations for Fiscal Year 2003-2004. The project consists of 15 single family estate homes on 8.58 acres located a westerly extension of Shafer Avenue and northerly extension of Katybeth Way and Conte Court, west of Hill Road. (APN 728-10-005) on a portion of a 69.54 site located on the northeast corner of Cochrane and Peet Rds. (APN 728-35-008, 009 & 010, and APN 728-36-001 & 010 portion of)

- c) **MEASURE P, MP-01-08: BARRETT-DITRI:** A request for Measure P allocations for Fiscal Year 2003-2004. The project consists of 16 single family homes on a 5 acre parcel located on the north side of Barrett Ave. adjacent to the east side of Barrett Elementary School. (APN817-10-002)

Recommendation: Close public hearing following receipt of public testimony for each application and direct City Staff on those categories in each project evaluation that should be given further review.

3. **ZONING AMENDMENT, ZA-01-18/SUBDIVISION, SD-01-04/DEVELOPMENT AGREEMENT, DA-01-02: MCLAUGHLIN-JONES:** A request for approval of a 9-lot subdivision of a 2.15-acre parcel located on the east side of McLaughlin Ave., north of Central Ave. in the R-2 3,500 zoning district. Also requested is the approval of a precise development plan (RPD zoning designation) and the approval of a project development agreement. A mitigated negative declaration is proposed. (APN's 726-24-002, 003, 005-007)

Recommendation: Adopt Resolution Nos. 01-69 (zoning amendment), 01-70 (subdivision) and 01-71 (development agreement) denying requests, with recommendation to forward the zoning amendment and development agreement request to the City Council for denial.

NEW BUSINESS:

4. **GENERAL PLAN AMENDMENT, GPA-01-07: HALE-DELCO:** A request to amend the general plan land use designation on a 1.5 acre portion of a 4.7 acre parcel located on the west side of Hale Ave., approximately 1000 ft. south of the Llagas Rd. and Hale Ave. intersection. The request is to change the designation from Single Family Medium to Multi-Family Low. (APN 764-32-012)

Recommendation: Adopt the Mitigated Negative Declaration and approve Resolution No. 02-17, with recommendation to forward to the City Council for approval.

5. **SUBDIVISION APPROVAL AMENDMENT, SDA-00-14: LLAGAS-DELCO:** A request to amend the subdivision approval for a single family housing project proposed on a 16.5 acre parcel located on the south side of Llagas Rd., approximately 400 ft. west of the Hale Ave. and Llagas Rd. intersection. The project is located in the R-1 7,000 zoning district. The proposed amendment is a request to eliminate a minimum lot size requirement for duet units. (APN 764-32-005)

Recommendation: Adopt Resolution No. 02-18, approving request.

6. **SUBDIVISION APPROVAL AMENDMENT, SDA-00-15: HALE-DELCO/SHENG:** A request to amend the subdivision approval on a 4.14 acre parcel located on the west side of Hale Ave., approximately 1,400 ft. south of the Hale Ave. and Llagas Rd. intersection. The project is located in the R-2 3,500 zoning district. The proposed amendment would allow for a reduction in lot width (APN 764-32-013)

Recommendation: Adopt Resolution No. 02-19, approving request.

7. **USE PERMIT AMENDMENT, UPA-98-07: MONTEREY-IRISH CONSTRUCTION:**
A request for approval to amend Conditional Use Permit 98-035 to allow for the demolition of a 2,000 sf office within an existing office/warehouse building, and replace with a 3,124-sf office space. The subject site is located on the southeast corner of Monterey Road and Burnett Avenue. (APNs 726-42-004 & -006)

Recommendation: Adopt Resolution No. 01-29, approving request.

8. **GENERAL PLAN AMENDMENT, GPA-01-08 / ZONING AMENDMENT, ZA-01-25: MAST-ALCINI:** A request to amend the general plan land use designation on a 1.94 vacant parcel (located north of Mast St., south of San Pedro Ave., west of Railroad Ave., and east of Church St.) from "Commercial" to "Industrial" and to amend the zoning designation from "Service Commercial (CS)" to "General Industrial District (MG)". (APN 817-02-050)

Recommendation: Adopt the Negative Declaration, and approve Resolution Nos. 02-20, general plan amendment, and 02-21, zoning amendment, with recommendation to forward to City Council for approval.

9. **ZONING AMENDMENT, ZA-01-22: PEAK-VILLA HEIGHTS:** A request to amend the R-3/C, multi-family conditional zoning designation on a 2 acre site located at 17090 Peak Ave. The amendment request is to allow additional beds within the existing Villa Heights facility. (APN 767-03-017)

Recommendation: Adopt Resolution No. 02-22, approving zoning amendment, with recommendation to forward to City Council for approval. Motion to table the subdivision application.

OTHER BUSINESS:

10. **REQUEST FORM THE APPLICANT FOR THE SAFEWAY/TENNANT STATION SHOPPING CENTER EXPANSION FOR A WORKSHOP TO BE CONDUCTED WITH THE PLANNING COMMISSION ON MARCH 26, 2002:**

Recommendation: Discussion

TENTATIVE UPCOMING AGENDA ITEM FOR THE MARCH 26, 2002 MEETING:

- **ZA-01-20: Tennant-Safeway**
- **ZA-00-05: Hale-Glenrock/Shea Homes**
- **ANX-02-01: Cochrane-Borello I**
- **ZA-02-01: Cochrane-Borello I**
- **Review of rebuttal letters and final scoring of the Measure P applications for FY 2003-04 Open Market Competition**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE **AMERICANS WITH DISABILITY ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

PLANNING COMMISSION AGENDA

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